



California Regional Water Quality Control Board

San Diego Region

Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb9>
9174 Sky Park Court, Suite 100; San Diego, CA 92123
PHONE: 858-467-2952 FAX: 858-571-6972



WATER QUALITY CERTIFICATION FEE SCHEDULE

Effective June 24, 2000

Revised October 3, 2002

Revised September 30, 2003

Section 401 of the Clean Water Act delegates to states the authority to certify that discharges requiring a federal permit comply with state and federal water quality standards and with state laws. Pursuant to Title 23, California Code of Regulations (23 CCR) Section 3838, regional boards and their executive officers are authorized to take water quality certification action on applications for such certification within their region of jurisdiction.

23 CCR Sections 2200 (e) and 3833 (b) (2) (A) prescribe the following fees for certification of activities that may involve a discharge of dredged or fill material:

For all application received on, or after, **October 28, 2003**, the following fee schedule applies.

1. All applications for certification must include an initial deposit of \$500.
2. The total fee, including deposit, for issuing standard certification as defined in 23 CCR 3831 (p) shall be at least \$500, but not more than the fees in 3. or 4. below.
3. An Ambient Water Monitoring (AWM) surcharge will be added to each individual fee. The AWM surcharge for all discharges . . . is 9% of the calculated fee.

(a)(2) Dredge and Fill Operation fees shall be assessed as follows, not to exceed \$40,000, plus applicable surcharge(s)¹.

Type of Discharge	Fees
(i) Fill & Excavation ² Discharges. Size of the area as expressed in hundredths of acres (0.01 acre) (436 square feet) rounded up.	\$500 Base Price + (Discharge area in hundredths of an acre x \$21.50)
(ii) Dredging Discharges Dredge volume expressed in Cubic Yards.	\$500 Base Price + (Dredge volume in

¹ When a single project includes multiple discharges within a single dredge and fill fee category, the fee for that category shall be assessed based on the total area, volume, or length of discharge (as applicable) of the multiple discharges. When a single project includes discharges that are assessed under multiple fee categories, the total fee shall be the sum of the fees assessed under each applicable fee category; however a \$500 base fee, if required, shall be charged only once.

² "Excavation" refers to moving sediment or soil in shallow waters or under no-flow conditions where impacts to beneficial uses are best described by the area of the discharge. It typically is done for purposes other than navigation. Examples include trenching for utility lines, other earthwork preliminary to construction, removing sediment to increase channel capacity, and aggregate mining in fresh waters.

California Environmental Protection Agency

Recycled Paper



	cubic yards x \$0.08)
<p>(iii) Channel and Shoreline Discharges Includes linear discharges to drainage features and shorelines, e.g., bank stabilization, revetment and channelization projects. (Note): The fee for channel and shoreline linear discharges will be assessed under the "Fill and Excavation" or "Channel and Shoreline" schedules, whichever results in the higher fee.</p>	\$500 Base Price + (Discharge length in feet x \$5.00)
<p>(iv) Discharges to Non-federal (e.g. "Isolated") Waters. Discharges to waters or portions of waterbodies not regulated as "waters of the United States", including waters determined to be "isolated" pursuant to the findings of <i>Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers</i> (2001) 121 S. Ct. 675.</p>	Double the applicable fee schedules except for (vi) restoration projects
<p>(v) Low Impact Discharges. Projects may be classified as low impact discharges if they meet all of the following criteria: 1. The discharge size is less than all of the following: (a) for fill, 0.1 acre, and 200 linear feet, and (b) for dredging, 25 cubic yards. 2. The discharger demonstrates that:(a) all practicable measures will be taken to avoid impacts, (b) where unavoidable temporary impacts take place, waters and vegetation will be restored to pre-project conditions as quickly as practicable, and (c) where unavoidable permanent impacts take place, there will be no net loss of wetland, riparian area, or headwater functions, including onsite habitat, habitat connectivity, floodwater retention, and pollutant removal. 3. The discharge will not do any of the following: (a) directly or indirectly destabilize a bed of a receiving water, (b) contribute to significant cumulative effects, (c) cause pollution, contamination, or nuisance, (d) adversely affect candidate, threatened, or endangered species, (e) degrade water quality or beneficial uses, (f) be toxic, (g) include "hazardous" or "designated" material. 4. Discharge is to a waterbody regulated as "Waters of the United States".</p>	\$500 Flat fee.
<p>(vi) Restoration Projects. Projects funded or sponsored by a government program with the primary purpose of restoring or enhancing the beneficial uses of water. This schedule does not apply to projects required under a regulatory mandate or to projects undertaken primarily for some other non-restorative purpose, e.g., land development.</p>	\$500 Flat fee

(vii) General Orders. Projects which are required to submit notification of a proposed discharge to the State and/or Regional Board as a condition of compliance with a general waste discharge requirement associated with permitting discharges authorized by a federal general permit or license, e.g., a U.S. Army Corps of Engineers nationwide permit.	\$60 Flat Fee
---	---------------

An application cannot be considered complete without the initial deposit of \$500. Any certification action is not effective until payment of the required total fee.

Whenever certification of a federal general permit for an activity that may involve a discharge of dredged or fill material requires the permittee to send a notice to the Regional Board of its intent to proceed with the permitted activity, that permittee shall provide the Board a fee of \$60.

All fees should be made payable to the State Water Resources Control Board and submitted to the Regional Water Quality Control Board at the above address, attention: 401 Certifications.